

**REMARKS**

Claims 1-5 are pending in this application.

Claims 1-3 and 5 are rejected under 35 U.S.C. §102 as being anticipated by Hollstein et al. (U.S. Patent No. 4,956,519) ("Hollstein"). Claims 2 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hollstein. These rejections are respectfully traversed.

Claims 1-3 and 5 recite a catalyst composition consisting of mixed aluminum oxides and zirconium oxides modified with tungsten oxyanion and a hydrogenation/dehydrogenation component of a Group VIII metal, i.e. an oxide of a Group III A metal, a IVB metal, VI B metal and a Group VIII metal.

Hollstein fails to disclose a catalyst composition of oxides of aluminum, zirconium modified with tungsten oxyanion and a group VIII metal. The examples of Hollstein merely show combinations of Fe, Mn, ZrO<sub>2</sub>; Fe, ZrO<sub>2</sub>; and Ru, ZrO<sub>2</sub>.

In the catalyst composition of Hollstein, the Group VIII is an oxide or a hydroxide (col. 2, line 55-56), whereas the claimed invention includes a Group VIII metal.

By the process of the claimed invention, the feed stock is contacted with an oxidic and unsulfated catalyst, wherein zirconium oxide is modified with tungsten oxyanion. In contrast, the catalyst of Hollstein is in its sulphated form (col. 2, lines 43-45, Example 1 in col. 4 and Examples 10-16 in col. 6).

For at least the reasons set forth above, Hollstein fails to anticipates the subject matter of claims 1-3 and 5.


Turning to the obviousness rejection, the present invention provides a catalyst composition of oxides/hydroxides of aluminum, zirconium being modified with tungsten hydroxide and a metal of Group VIII which is selected from more than 30 possible elements mentioned in Hollstein.

To establish obviousness based on a combination of the elements disclosed in the prior art, there must be some motivation, suggestion or teaching of the desirability of making the specific combination that was made by the applicant. See *In re Dance*, 160 F.3d 1339, 1343 (Fed. Cir. 1998); *In re Gordon*, 733 F.2d 900, 902 (Fed. Cir. 1984). Hollstein is wholly lacking in this regard. For at least these reasons, the Office Action fails to establish a *prima facie* case of obviousness, and withdrawal of the rejection of claims 2 and 4 is also respectfully requested.

Allowance of all pending claims is solicited.

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